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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,634	03/11/2004	Timothy A. Friar	AII / 110	6671

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EXAMINER

BARRETT, SUZANNE LALE DINO

ART UNIT	PAPER NUMBER
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3676

DATE MAILED: 04/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/798,634	Applicant(s) FRIAR ET AL.	
	Examiner Suzanne Dino Barrett	Art Unit 3676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1,2,4,5,8,9,16 are rejected under 35 U.S.C. 102(b) as being anticipated by Blake 4895,008. Blake teaches a drawer lock assembly (Figures 1-6) comprising a drawer chassis 10, a drawer 12, a cam 80 for engaging a lock pin 86 actuated either by manual key lock core means 48 or electronically actuated means provided by solenoid 64 and armature/release member (col. 1, lines 11-17, lines 18-30, and lines 46-51, especially). The lock system further comprises the lock cylinder 48 having a pin 50 to engage a lock catch 74, and a keypad input device 66.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Blake '008 in view of Feldpausch et al. 5,38,039.

Blake teaches the drawer lock described above with manual key lock means 48 for moving the cam between two positions but fails to provide a spring bias for the lock core 48, as set forth in claim 3. Feldpausch et al teach a drawer lock comprising a lock core 46 having a spring bias 76. It would have been obvious to modify the lock core 48 of Blake by providing a spring bias to a certain position as taught by Feldpausch as an obvious matter of design choice in view of the fact that Blake has contemplated a spring bias for the actuation means, since the alternate embodiment taught by Blake in Figures 7-9 teaches such a spring bias for the actuation mechanism.

5. Claims 6,7 are rejected under 35 U.S.C. 103(a) as being obvious over Blake '008 in view of Hoffman 5,841,361.

Blake teaches a solenoid operated electronic lock control means rather than a motor driven control and further fail to specify the use of lock position sensors. Hoffman teaches an electronic lock control means for cabinets and drawers (col. 3, lines 41-44) comprising a drive motor 214 as the control means and further providing position indicators (LED) for the lock. With respect to claim 7, Official Notice is taken that it is well known to provide an electronic lock with position sensors to feed information to the position indicators. Accordingly, it would have been obvious to one of ordinary skill in the art to provide the electronic lock control means of Blake with position sensors and further substitute a drive motor for the solenoid, as taught by Hoffman to be a functional equivalent.

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6. Claims 10-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blake '008 in view of Friar et al 6,746,091.

Blake teaches the drawer lock described above, but fails to teach the drawer on a cart. Friar et al clearly teach a lock system, for a medical cart comprising a chassis with drawers having tabs 18, comprising both an electronic control means and a manual override means to actuate a well known drawer lock cam mechanism 78/18. The electronic control comprises a keypad or other input means, solenoid 24, armature 26, lock member 22 and cam 78. The manual override comprises a lock cylinder 37 and yoke 36 assembly which cooperate with the armature 26 and lock member 22 to actuate the cam 78 to release the drawers. Thus, Friar et al teach a well known cart having drawer locks of the type disclosed by Blake, therefore, it would have been obvious to provide the drawer of Blake on a cart as an obvious matter of design choice.

With respect to the method claims 11-15, the method steps of operating a lockable drawer of a cart are deemed inherent to the combined drawer lock of Blake and cart of Friar et al as discussed above.

Response to Arguments

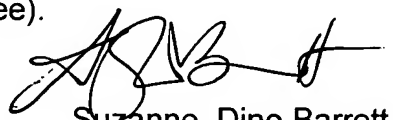
7. Applicant's arguments, see amendment, filed 2/24/06, with respect to the rejection(s) of claim(s) 1,2,4-16 under Friar et al '091 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Blake 4,895,008 and Friar et al '091, as set forth above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Suzanne Dino Barrett whose telephone number is 571-272-7053. The examiner can normally be reached on M-Th 8:30-7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Suzanne Dino Barrett
Primary Examiner
Art Unit 3676

sdb